

RESOLUTION NO. 04-12

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ATTORNEYS' FEES; APPROVING ATTORNEYS' FEES AND COSTS FOR NAGIN GALLOP FIGUEREDO, P.A. IN THE AMOUNT OF \$7,507.43; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Village Council of the Village of Palmetto Bay approved resolution no. 02-05, authorizing payment of Village Attorney non-retainer attorneys' fees and costs; and,

WHEREAS, Nagin Gallop Figueredo, P.A., submitted its statements to the village for legal services rendered, and costs advanced, for the period ending December 31, 2003, in the amount of \$7,507.43; and,

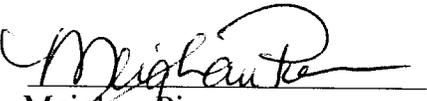
WHEREAS, the amounts are reasonable and were necessarily incurred.

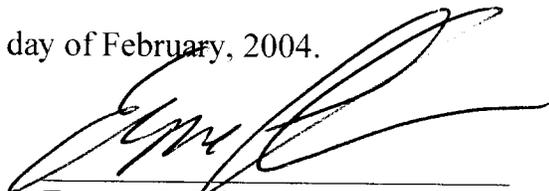
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:

Section 1. The statements for attorneys' fees and costs received from Nagin Gallop Figueredo, P.A., in the total amount of \$7,507.43, copies of which are attached, are approved for payment

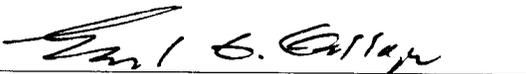
Section 2. This resolution shall take effect immediately upon approval.

PASSED and ADOPTED this 2nd day of February, 2004.

Attest: 
Meighan Pier
Village Clerk


Eugene P. Flinn, Jr.
Mayor

APPROVED AS TO FORM:


Earl G. Gallop,
Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Ed Feller	<u>YES</u>
Council Member Paul Neidhart	<u>YES</u>
Council Member John Breder	<u>YES</u>
Vice-Mayor Linda Robinson	<u>YES</u>
Mayor Eugene P. Flinn, Jr.	<u>YES</u>

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NAGIN GALLOP FIGUEREDO^{P.A.}

Attorneys & Counselors

3225 Aviation Avenue, Suite 301

Miami, Florida 33133

Telephone: (305) 854-5353

Facsimile: (305) 854-5351

January 9, 2004

Matter ID: 0293-001

General Municipal

Statement No. 15449

Eugene P. Flinn, Jr.
Mayor
Village of Palmetto Bay
9100 S. Dadeland Boulevard
Suite 1000
Miami, Florida 33156

			Hours	Amount
12/01/2003	EGG	Prepared for and attended council meeting.	7.50	1,387.50
12/02/2003	EAB	Attention to revised personnel policy; and revised first draft of vehicle and internet policy.	0.60	111.00
12/03/2003	EGG	Attention to after meeting action items.	0.30	55.50
12/03/2003	EGG	Reviewed IMLA memo on US S.Ct. decision today on ADA liability [disparate treatment v. impact].	0.20	37.00
12/04/2003	EAB	Analysis of revised Kimley-Horn continuing services contract; e-mail communication with Mr. Williams regarding revisions and authorized execution of the agreement.	1.30	240.50
12/04/2003	EAB	Analyzed and revised internet and vehicle policy for VPB.	1.40	259.00
12/08/2003	EGG	Reviewed letter from Johnny Brown, school board attorney, regarding alleged Sunshine law violations of meetings by FC Martin Attendance Boundaries Committee; and transmitted same to council members.	0.20	37.00
12/08/2003	EGG	Telephone conference with council member Neidhardt regarding meeting with Mr. Silver.	0.20	37.00
12/11/2003	EGG	Brief review of lobbyist registration, and principal disclosure forms; transmitted comment to Ms. Cadaval.	0.20	37.00
12/12/2003	EGG	Attended meeting with mayor Flinn.	1.00	185.00
12/15/2003	EGG	Attention to amendment to county ordinance on towing vehicles.	0.10	18.50
12/15/2003	EAB	Attention to House of Bagels bankruptcy filing.	0.10	18.50
12/23/2003	EGG	Commenced preparation of ordinance to repeal MDC code sections 33B-44 through 33B-47, relating to SURs.	0.50	92.50

Payment is due upon receipt. Please notify us within 10 days of receipt of any questions you have regarding this invoice. Interest at a rate of 1.5% per month will be charged if payment is not received within 30 days.

Total Professional Services 2,516.00

Rate Summary

Earl G. Gallop	10.20 hours at \$185.00/hr	1,887.00
Eve A. Boutsis	3.40 hours at \$185.00/hr	629.00

Total hours: 13.60

Expenses

Legal research	4.69
Parking Charge	7.00
Postage Charge	4.01
Telefacsimile charge	4.00
Photocopies	6.00

Sub-total Expenses: 25.70

For Professional Services 2,516.00

For Disbursements Incurred 25.70

Current Balance: 2,541.70

Previous Balance: 13,159.95

Payments - Thank you 0.00

Total Due 15,701.65

To be properly credited, please indicate Statement Number on your remittance check.

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NAGIN GALLOP FIGUEREDO^{PA.}

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Eugene P. Flinn, Jr.
Mayor
Village of Palmetto Bay
9100 S. Dadeland Boulevard
Suite 1000
Miami, Florida 33156

January 9, 2004
Matter ID: 0293-002
Zoning Applications
Statement No. 15452

			Hours	Amount
12/02/2003	EAB	Attention to South Dade Development matter; and e-mail communication with Ms. Meighan Pier regarding amended hearing ordinance; and email communication with Mr. Pastoriza regarding amended procedures ordinance.	0.30	55.50
12/03/2003	EGG	Prepared for and attended meeting with Mr. Chor, Peter Gruger, Esq., Mr. Connally and Alisa regarding request to release restrictive covenants for Paradise Point marina to allow sale to third parties; reviewed covenant and M-DC code for criteria for release of same.	1.50	277.50
12/03/2003	EGG	Attention to question whether, and when, South Dade Development may re-apply for zoning hearing.	0.20	37.00
12/04/2003	EGG	Attended meeting with Mr. Silver, Mr. Proctor, Mr. Kritchner, attorney for British Schools and staff regarding request to amend Burger King PUD to allow private school.	2.00	370.00
12/05/2003	EAB	Analysis of chapter 28, M-D County code, plat hearing requirements, telephone conference with Mr. Connally and county staff regarding whether platting hearings are quasi-judicial in nature and drafted memorandum to Ms. Pier on this item.	1.20	222.00
12/08/2003	EGG	Reviewed correspondence and attached statute regarding requirement for two public hearings on ordinance changing list of authorized uses in zoning category for Burger King property.	0.30	55.50
12/11/2003	EGG	Telephone conferences with Mr. Tucker Gibbs, counsel for appellants, regarding OCPC and with Mr. Scurr regarding same.	0.40	74.00
12/12/2003	EGG	Attended meeting with Raul and Alesa regarding request to release covenant re: Royal Yacht Harbor.	0.50	92.50
12/12/2003	EGG	Prepared for and attended meetings with Mr. Scurr, staff, Ms. Dianne O'Quinn Williams, Mr. Scott Silver and Mr. Proctor regarding requested zoning and other changes to development approvals."	2.50	462.50

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12/12/2003	EGG	Attended meetings with Raul and Alesa, and with Mr. Scurr and Ms. Dianne O'Quinn Williams regarding OCPC red tag and appeal.	0.60	111.00
12/15/2003	EGG	Reviewed Nov. 10 letter from Mr. Roddenberry regarding appeal of Pastorella concerning OCPC.	0.10	18.50
12/15/2003	EGG	Attention zoning hearing agenda documents; telephone conference with mayor Flinn.	0.90	166.50
12/15/2003	EGG	Attended meeting with Mr. Tucker Gibbs, and review plans and documents regarding OCPC.	1.00	185.00
12/15/2003	EAB	Analysis of P&Z agenda items; and telephone conference with Mayor Flinn on the pending applications.	2.00	370.00
12/16/2003	EGG	Attention to application for approval of Reardon Plat and advised that use of SUR's to reduce front footage requirements is not applicable in incorporated Palmetto Bay.	0.50	92.50
12/16/2003	EAB	Attended planning and zoning meeting.	3.50	647.50
12/16/2003	EAB	Attention to public record issue raised by Ms. Cadaval and attention to e-mail communication to council by resident regarding OCPC.	0.40	74.00
12/16/2003	EAB	Analysis of county code regarding SURs; attention to P&Z agenda; telephone conference with county staff regarding Reardon Estates platting application; telephone conference with Mayor Flinn, Mr. Scurr, Mr. Reardon (voicemail) and Ms. Vega regarding the Reardon Estates application.	2.30	425.50
12/18/2003	EGG	Attention to scheduling meeting with attorney for applicant regarding Reardon plat.	0.10	18.50
12/22/2003	EGG	Reviewed e-mail communications regarding red tag on construction of OCPC.	0.20	37.00
12/22/2003	EGG	Attended meeting with Mr. Pastoriza and representatives of South Dade Development regarding re-application for re-zoning.	0.40	74.00
12/23/2003	EGG	Attended meeting with representatives of Reardon Plat.	1.00	185.00
			Total Professional Services	4,051.50

Rate Summary

Earl G. Gallop	12.20 hours at \$185.00/hr	2,257.00
Eve A. Boutsis	9.70 hours at \$185.00/hr	1,794.50

Total hours: 21.90

Payment is due upon receipt. Please notify us within 10 days of receipt of any questions you have regarding this invoice. Interest at a rate of 1.5% per month will be charged if payment is not received within 30 days.

For Professional Services	4,051.50
For Disbursements Incurred	0.00
Current Balance:	<u>4,051.50</u>
Previous Balance:	1,539.25
Payments - Thank you	0.00
Total Due	<u>5,590.75</u>

To be properly credited, please indicate Statement Number on your remittance check.

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Eugene P. Flinn, Jr.
 Mayor
 Village of Palmetto Bay
 9100 S. Dadeland Boulevard
 Suite 1000
 Miami, Florida 33156

January 9, 2004
 Matter ID: 0293-005
 Real Property
 Statement No. 15451

			Hours	Amount
12/01/2003	EAB	Telephone conference with Mr. Fiallo and Mr. Lott to coordinate meeting scheduled for 12/5/03.	0.30	55.50
12/03/2003	EAB	Attention to matter; and received instructions and additional assignments.	0.20	37.00
12/05/2003	EGG	Attended meeting with Mr. Fiallo, Ms. Swan, M-DPD, Mr. Lott, real estate attorney, Mr. Scurr, Ms. Cadaval and Mr. Figueredo regarding closing on De La Amour property.	1.00	185.00
12/05/2003	EAB	Attended meeting with Det. Swan and Mr. Fiallo; and attended meeting with Mssrs. Gallop, Figueredo, Scurr, Fiallo, Lott, Det. Swan and Ms. Cadaval.	1.30	240.50
12/10/2003	EGG	Final preparation of motion to intervene and settlement agreement; evaluated settlement agreement and advised village council; telephone conference with Mr. Lott regarding status of Fund commitment to insure title.	1.50	277.50
12/18/2003	EGG	Revised and final preparation of motion to intervene and settlement agreement; telephone conference with Mr. Lott regarding status of evaluation by the Fund whether to insure title; telephone conference with Mr. Fiallo regarding transmittal, execution and filing court documents.	0.50	92.50
			Total Professional Services	888.00

Rate Summary

Earl G. Gallop	3.00 hours at \$185.00/hr	555.00
Eve A. Boutsis	1.80 hours at \$185.00/hr	333.00

Total hours: 4.80

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Expenses

Postage Charge	5.90
Legal research	3.33
Telefacsimile charge	17.00

Sub-total Expenses: 26.23

For Professional Services	888.00
For Disbursements Incurred	26.23

Current Balance: 914.23

Previous Balance: 7,812.50

Payments - Thank you 0.00

Total Due 8,726.73

To be properly credited, please indicate Statement Number on your remittance check.

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